

LAW OFFICES OF
TIMOTHY V. MILNER
3055 Wilshire Boulevard, Suite 801
LOS ANGELES, CALIFORNIA 90010
TELEPHONE (213)382-1195
FACSIMILE (213)351-1049
SBN: 109648

Attorney for: JAMES DAVID HARWIN
Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RENO

THE UNITED STATES OF AMERICA)	Case No. 3:14-CR-00050-001 MMD-WCG
)	
Plaintiff)	Assigned for all purposes to the
vs.)	Honorable Miranda M. Du
)	
JAMES DAVID HARWIN)	REPLY TO RESPONSE TO SENTENCING
)	MEMORANDUM
Defendant)	
)	DATE: July 27, 2015
)	TIME: 1:30 p.m.

TO THE COURT HEREIN:

The Attorney General's Reply indicates that Defendant James Harwin is requesting a reduction in the 57 month minimum sentence to be imposed by this Court. He is not. His is simply trying to have a discussion about where he will be spending those 57 months.


The Plea Agreement specifically authorizes Defendant to argue mitigating factors set forth in 18 U.S. Code §3553 regarding the imposition of sentencing (Plea Agreement, pages 14 - 15). Defendant is simply requesting that the Court take into consideration his lack of any prior criminal activity, his age (60), his wife's failing health, and his serious medical conditions in determining where he is to serve his sentence.

It is not Mr. Harwin's intent to attempt to change any terms of the Plea Agreement.

DATED: July 23, 2015

LAW OFFICES OF TIMOTHY V. MILNER

By:


Timothy V. Milner
Attorney for Defendant Harwin

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of eighteen and not a party to this litigation. My business address is 3055 Wilshire Boulevard Suite 801, Los Angeles, California 90010.

On July 24, 2015, I served the foregoing document described below as REPLY TO RESPONSE TO SENTENCING MEMORANDUM on the interested parties to this action:

☐ (BY PERSONAL SERVICE). I delivered such envelope by hand to counsel for the parties as set forth below:

☐ (BY MAIL) I placed a true and correct copy of the above document in an envelope, postage prepaid, first-class to the address below:

Assistant U.S. Attorney
Attn: Megan Rachow
100 West Liberty Street Suite 600
Reno, Nevada 89501
775-784-5438

☐ (BY EXPRESS MAIL COURIER) I placed a true and correct copy of the above document in an envelope, postage prepaid, and deposited the envelope in a box regularly maintained by the courier for overnight delivery:

☒ (VIA ELECTRONIC SERVICE) I caused the document(s) listed above to be served electronically on the parties.

☐ (BY TELECOPIER TRANSMISSION) I transmitted said document via telecopier transmission (FAX) to counsel for the party set forth above.

☒ (State) I declare under penalty of perjury pursuant to the laws of the State of California that the above is true and correct.

David Robinson
(Type or print name)


Signature